

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5703 of 1992

with

SPECIAL CIVIL APPLICATION No 5802 of 1992

to

SPECIAL CIVIL APPLICATION No 5910 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

PANCHAL TARUNABEN RAMANLAL

Versus

KHEDA DISTRICT EDUCATION COMMITTEE & ANR.

Appearance:

MR BN PATEL for Petitioners

MR ND NANAVATI SR. ADVOCATE with INSTRUCTING COUNSEL

SHRI RM CHHAYA for Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 23/04/97

ORAL JUDGEMENT

The learned counsel for the respondent submits that an identical petition, being Sp. C.A. No.7978/91, has been disposed of by this Court on 1-11-1996, and these Sp. Civil Applications may also be disposed of in terms of the order passed in Sp. C.A. No.7978/91, to

which the counsel for the petitioners has no objection.

It is not in dispute that the Sp. C.A. No.7978/91 is identical to these petitions. The respondent No.1, Kheda District Panchayat, invited applications for appointment to 900 posts of Primary Teachers. Pursuant to the said advertisement, a select list of 1200 persons was prepared. Out of which, 472 persons were given appointments and rest of the candidates were not given appointments. Some of the persons of the select list who have not been given appointment, have filed these petitions and have claimed a right to appointment as Primary Teachers.

In these petitions also Shri N.D. Nanavati appearing for the District Panchayat, Kheda, states that pending these petitions, the select list prepared pursuant to the advertisement dated 30th September, 1989 has been operated and all the persons selected have been offered appointments as and when the vacancies arose and were required to be filled in.

The learned counsel for the petitioners agree that the petitioners concerned have been offered appointment pursuant to their selection as aforesaid.

In view of the statement made by the counsel for the respondent and as observed by this Court in Sp. C.A. No.7978/91, the matter in issue in these petitions have become academic and need not be decided on merits. The cause of action, in view of the subsequent developments which have taken place as well as the statement of the counsel for the respondent, does not survive. All these petitions have thus become infructuous. These petitions are, therefore, dismissed. Rule is discharged in each petition with no order as to costs. Interim relief stands vacated in each petition.

zgs/-